

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

CHARLES H. FOSTER, JR.

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:05CV359-LG-RHW

CHEVRON U.S.A., INC.

DEFENDANTS

ORDER COMPELLING DISCOVERY

Before the Court is Plaintiff's [35] Motion to Compel Discovery Responses. The Court directed the parties to confer in an attempt to resolve the numerous discovery issues outlined in the motion. The parties have advised the Court that all of the disputed issues have been resolved, or are in the process of being resolved, except for a disagreement regarding requests for production of documents # 21 and # 22. The Plaintiff has requested badge reports, time sheets, schedules, and any other documents reflecting approved time off for work for relief shift supervisors at Defendant's Pascagoula location from 2002 until the present. Defendant has suggested limiting the production to 2002 and 2003. Plaintiff argues that these documents are necessary in order to compare treatment of Plaintiff to other shift supervisors. The Court finds that the request for documents from 2002 through 2005 is a reasonable request calculated to lead to the discovery of admissible evidence. There is some question as to whether the documents in question exist for the time period prior to August 2004. Obviously, Defendant is only compelled to produce those documents in existence and capable of production.

IT IS THEREFORE ORDERED that, to the extent that such documents exist, Plaintiff's [35] Motion to Compel is GRANTED and that Defendant is compelled to produce badge reports,

time sheets, schedules, and any other documents reflecting approved time off from work for relief shift supervisors at Defendant's Pascagoula location from 2002 through 2005.

SO ORDERED, this the 29th day of June, 2006.

sl Robert H. Walker
UNITED STATES MAGISTRATE JUDGE